

City of Killeen
Regular City Council Meeting
Killeen City Hall
August 11, 2015 at 5:00 p.m.

Presiding: Mayor Scott Cospier

Attending: Mayor Pro-Tem Jose Segarra, Council members Jim Kilpatrick, Juan Rivera, Shirley Fleming, Brockley Moore, Jonathan Okray, and Elizabeth Blackstone

Also attending were City Manager Glenn Morrison, City Attorney Kathryn Davis, City Secretary Dianna Barker, and Sergeant-at-Arms McDaniel.

Mayor Pro-Tem Segarra gave the invocation, and Councilmember Rivera led everyone in the pledge of allegiance.

Approval of Agenda

Motion was made by Mayor Pro-Tem Segarra to approve the agenda as written. Motion seconded by Councilmember Rivera. The motion carried unanimously.

Minutes

Motion was made by Councilmember Okray to approve the minutes of the July 28th Regular City Council Meeting. Motion was seconded by Councilmember Fleming. Motion carried unanimously.

Resolutions

RS-15-043 Consider a memorandum/ resolution approving the abandonment of an alley located between N. Gray St. and N. 4th St., and between 117 and 113 N. Gray St., Killeen, Texas, with reservation of a utility easement.

Staff comments: Tony McIlwain

Staff has provided a quitclaim deed that reserves the City's and other franchise utility providers' access to the property via a utility easement. Staff recommends that the City Council approve the applicant's alley abandonment request, and direct the City Manager to execute the attached quitclaim deeds.

Motion was made by Councilmember Kilpatrick to approve RS-043. Motion was seconded by Councilmember Rivera. Motion carried unanimously.

RS-15-044 Consider a memorandum/resolution for a mutual aid agreement with the Department of the Army for Fort Hood, Texas.

Staff comments: Fire Chief Gardner

Mutual Aid Agreements supply the Fire Departments and the EMS service with additional resources when a single incident or multiple incidents deplete all resources from any one entity. Staff recommends that the City Council give their approval for the City Manager to sign the Fire and EMS Mutual Aid Agreement with The Department of the Army for Ft. Hood, Texas.

Motion was made by Councilmember Segarra to approve RS-044. Motion was seconded by Councilmember Blackstone. Motion carried unanimously.

RS-15-045 Consider a memorandum/resolution authorizing the award of a construction contract to Insituform Technologies, LLC to rehabilitate a 12-inch wastewater main in the Central Basin (Master Plan Project 7S).

Staff comments: Steve Kana

Staff recommends that the City Council authorize the City Manager to enter into an agreement with Insituform Technologies, LLC, for a construction contract to rehabilitate a 12-inch wastewater main in the Central Basin for the amount of \$486,193.70, and that the City Manager is expressly authorized to execute any and all change orders within the amounts set by state and local law.

Motion was made by Councilmember Blackstone to approve RS-045. Motion was seconded by Councilmember Moore. Motion carried unanimously.

RS-15-046 Consider a memorandum/resolution approving a contract with ESPY Services to conduct an audit of telecommunications support accounts.

Staff comments: Tom Moore

The staff requests the council authorize the City Manager to execute a contract with ESPY Services and pay any amounts that are found with their audits, and to execute any change orders within the amounts set by law.

Motion was made by Councilmember Fleming to approve RS-046. Motion was seconded by Councilmember Segarra. Motion carried unanimously.

RS-15-047 Consider a memorandum/resolution authorizing the City Manager to execute a contract for the CDBG Elderly Transportation Program (RFP 15-25).

Staff comments: Cinda Hayward

Staff is very pleased with the service provided by the vendor and recommends the City Manager be authorized to execute a contract with Cove Taxi, Inc., for a term of one year with the option of three (3) one year terms, for curb-to-curb services for the City's Elderly Transportation program.

Motion was made by Councilmember Moore to approve RS-047. Motion was seconded by Councilmember Rivera. Motion carried unanimously.

RS-15-048 Consider a memorandum/resolution directing the City Manager to prepare a service plan for the voluntary annexation of 161.022 acres south of the intersection of Clear Creek Road (S.H. 201) and Old Copperas Cove Road (FM 3470), Bell County, Texas.

Staff comments: Tony McIlwain

Staff recommends the City Council direct the City Manager to prepare a service plan for the annexation area of approximately 161.022 acres located south of the intersection of Clear Creek Road (S. H. 201) and Old Copperas Cove Road (FM 3470), Bell County, Texas.

Motion was made by Councilmember Fleming to approve RS-048. Motion was seconded by Councilmember Blackstone. Motion carried unanimously.

- RS-15-049** Consider a memorandum/resolution setting the preliminary tax rate for the FY 2016 Annual Budget and Plan of Municipal Services and setting the dates to hold public hearings on the proposed tax increase, if a proposed tax increase is approved by the council.

Staff comments: Jonathan Locke

Staff recommends the City Council set a preliminary tax rate at 0.7498 per \$100 valuation. This rate represents the preliminary tax rate for the FY 2016 Annual Budget and Plan of Municipal Services. Once set, this preliminary tax rate will be the maximum tax rate allowed by law for the FY 2016 Budget. The Council may elect to lower the preliminary tax rate at a later date; however, it cannot be raised.

Motion was made by Councilmember Segarra to approve RS-049. Motion was seconded by Councilmember Kilpatrick. A record vote was taken as follows:

Councilmember Okray - No

Councilmember Fleming - No

Mayor Pro-Tem Segarra - Yes

Councilmember Blackstone - Yes

Councilmember Rivera - Yes

Councilmember Moore - No

Councilmember Kilpatrick - Yes

Motion carried 4 to 3.

- RS-15-050** Consider a memorandum/resolution recommending to the Employee Benefit Trust the renewal rates for agreements with the Scott and White Health Plan (SWHP) for medical insurance and with MetLife for dental insurance, effective October 1, 2015.

Staff comments: Dr. Ann Farris

It is recommended that City Council recommend the renewal of Scott and White Health Plan as the provider for employee medical insurance to the Employee Benefit Trust and authorize the City Manager to execute an agreement with Scott and White Health Plan for medical insurance effective October 1, 2015, and that the City Manager be authorized to execute any necessary change order in accordance with state and local law. It is recommended that City Council recommend the renewal of MetLife as the provider for employee dental insurance to the Employee Benefit Trust and authorize the City Manager to execute an agreement with MetLife for dental insurance effective October 1, 2015, and that the City Manager be authorized to execute any necessary change order in accordance with state and local law.

Motion was made by Councilmember Rivera to approve RS-050. Motion was seconded by Councilmember Moore. Motion carried 6 to 1 with Councilmember Okray in opposition.

Ordinances

- OR-15-013** Consider an ordinance granting an application for renewal of taxicab franchise to Luxury Cab Company. (1st of 3 readings)

The City Secretary read the caption of the ordinance.

AN ORDINANCE GRANTING A FRANCHISE TO LUXURY CAB COMPANY TO OPERATE A TAXICAB SERVICE IN THE CITY OF KILLEEN, TEXAS, AND SETTING FORTH CONDITIONS ACCOMPANYING THE GRANT OF THE FRANCHISE; PROVIDING FOR THE REGULATION OF THE TAXICAB SERVICE; PROVIDING AN

INDEMNITY CLAUSE; ESTABLISHING THE FRANCHISE TERM AND EFFECTIVE DATE; PROVIDING A TERMINATION PROVISION; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN ADOPTION CLAUSE; PROVIDING A REPEALER CLAUSE AND PROVIDING A CODE AMENDMENT CLAUSE.

Staff comments: Kathy Davis

Staff recommends approval of the first reading of the ordinance permitting Luxury Cab Company a taxicab service franchise and that City Council authorizes Luxury Cab to continue service under their current franchise until the passage and effective date of the renewal franchise.

Motion was made by Councilmember Okray to approve the first reading of OR-013 and staff recommendation. Motion was seconded by Councilmember Fleming. Motion carried unanimously.

Public Hearings

PH-15-032A Consider a memorandum/resolution awarding Bid No. 15-18 and Bid No. 15-19 for facility renovations at 101 East Avenue D (aka Cornerstone).

Staff comments: Stu McLennan

Staff recommends the Council authorize the city manager to enter into a contract in the amount of \$382,618.00 with cVAL Innovations for energy efficiency renovations and a contract in the amount of \$500,267.00 with A&L Sanchez Construction, Inc. for general construction and that the city manager is further authorized to execute any change orders within the amounts set by law.

Motion was made by Councilmember Kilpatrick to approve 15-032A. Motion was seconded by Councilmember Moore. Motion carried unanimously.

PH-15-032B HOLD a public hearing and consider an ordinance amending the FY 2015 Annual Budget and Plan of Municipal Services of the City of Killeen by increasing the General Fund accounts by \$854,000 to renovate the Cornerstone building, located at 101 East Avenue D.

The City Secretary read the caption of the ordinance.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF KILLEEN, TEXAS, AMENDING THE FY 2015 ANNUAL BUDGET AND PLAN OF MUNICIPAL SERVICES OF THE CITY OF KILLEEN BY INCREASING THE GENERAL FUND ACCOUNTS; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT WITH THIS ORDINANCE; PROVIDING A SAVINGS CLAUSE AND ESTABLISHING AN EFFECTIVE DATE.

Staff comments: Karen Evans

Increasing the original budget of \$350,000 by \$854,000 is needed for the renovation of the Cornerstone building making the amended budget for account 010-2705-419.61-95 \$1,204,000. Staff recommends that the City Council approve this ordinance amending the FY 2015 Annual Budget and Plan of Municipal Services by \$854,000.

Mayor Cosper opened the public hearing. With no one else appearing the public hearing was closed.

Motion was made by Mayor Pro-Tem Segarra to approve PH-032B. Motion was seconded by Councilmember Rivera. Motion carried 6 to 1 with Councilmember Okray in opposition.

PH-15-032C Consider a memorandum/resolution expressing official intent by the City to reimburse certain costs related to renovating the building located at 101 East Avenue D, also known as the Cornerstone building.
Staff comments: Karen Evans
A reimbursement resolution is needed to enable the General Fund to be repaid for project expenses. The not to exceed amount of the reimbursement resolution is \$1,204,000.
Staff recommends that the City Council adopt the attached resolution.

Motion was made by Councilmember Moore to approve PH-032C. Motion was seconded by Councilmember Kilpatrick. Motion carried 6 to 1 with Councilmember Okray in opposition.

PH-15-033 HOLD a public hearing on the FY 2015 - 2016 proposed Annual Budget and Plan of Municipal Services.
Staff comments: Glenn Morrison
This is the 1st of 3 public hearings.

Mayor Cosper opened the public hearing.

Dr. Claudia Brown, 2502 Waterfall Dr. – was present representing multiple homeowners in Thunder Creek Community, friends of the NAACP, Central Texas Think Tank and the Coalition of Black Democrats. Mrs. Brown expressed concerns about water bill pricing; high unemployment in the city and bill assistance for senior homeowners. Mrs. Brown would like the Council to reconsider raising fees on utility bills.

AnaLuisa Carrillo-Tapia, Killeen - has concerns about whether the Council is spending responsibly and asked the Council to review the budget carefully.

TaNeika Driver-Moultrie, 209 Sanderson Dr. – stated that as president of NAACP she is the only one who can speak on behalf of NAACP and asked that Mrs. Brown's comments as a representative of the NAACP be struck.

With no one else appearing the public hearing was closed.

Adjournment

With no further business, upon motion being made by Councilmember Kilpatrick, seconded by Councilmember Okray, and unanimously approved, the meeting was adjourned at 5:50 p.m.

Scott Cosper, Mayor

Dianna Barker, City Secretary